



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10 037, 375	01/04/2002	Keita Takahashi	01853 L.H.	6798

7590 06-16-2003

FRISHAUF, HOLTZ, GOODMAN,
LANGER & CHICK, P.C.
25th Floor
767 Third Avenue
New York, NY 10017-2023

EXAMINER

BLACKMAN, ROCHELLE ANN J

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 06/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/037,375

Applicant(s)

TAKAHASHI ET AL.

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 is/are allowed.
- 6) ☒ Claim(s) 16-21 and 23-28 is/are rejected.
- 7) ☐ Claim(s) 22 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. Figures 19 and 20 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference number 104 in Fig. 20. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-21 and 23-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Katagiri et al., U.S. Patent No. 5,325,148.

Katagiri discloses an "electromagnetic drive for controlling an amount of light of a luminous flux, said electromagnetic drive"(see Figs. 1-13), said electromagnetic drive comprising: a "plurality of solenoids having coils whose winding axes lie perpendicular to a direction of the luminous flux", a "plurality of solenoids having respective center axes corresponding to respective different lines", "wherein the plurality of solenoids have different central inner diameters from each other", "wherein the plurality of solenoids have different outer diameters from each other", "wherein the plurality of solenoids are disposed along the direction of the luminous flux in such a manner that the winding axes of the coils are respectively lying on planes perpendicular to the direction of the luminous flux, in parallel with each other", and "wherein the plurality of solenoids are disposed in parallel with each other"(see 5 of FIG. 3 and see "solenoids" which is considered to the "X" portions below and above element 5a in FIG. 3); a "movable plunger that is movable along one of the winding axes by a magnetic force of the solenoid" and a "movable plunger that is movable along one of the center axes of the plurality of solenoids by a magnetic force of the plurality of solenoids"(see 5a of FIGS. 1-3, 8, and 9); a "blade member driving by the movable plunger for controlling the amount of light of the luminous flux"(see 11 and 12 of FIGS. 1-3, 8, and 9); a "yoke member for forming magnetic fluxes generated from the plurality of solenoids into a loop"(see 5b of FIG. 3); and a "band of projection provided around the movable plunger in a vicinity of an end portion of the movable plunger, and wherein the movable plunger is movable in the solenoid using the band of projection" and a "projection provide around the movable plunger in a vicinity of an end portion of the movable plunger, and

Art Unit: 2851

wherein the movable plunger is moved in the solenoid using the projection" or a "bearing portion for supporting the movable plunger at an end portion thereof exposed out of the solenoid" and a "bearing portion for supporting the movable plunger at end portion thereof exposed out of the solenoid" (see portion touching element 15a in FIGS. 1-3 and portions on both sides of or surrounding element 15a in FIGS. 8 and 9).

Allowable Subject Matter

1. Claims 1-15 are allowed.
2. Claims 22 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach or suggest the limitation, "a solenoid having a coil whose winding axis is disposed in parallel with a direction of the luminous flux" of claim 1 in combination with the limitation "a movable plunger that is movable in parallel with the direction of the luminous flux by a magnetic force of the solenoid" of claim 1, further in combination with the other limitations of claim 1.

The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach or suggest the limitation, "a solenoid having a coil whose winding axis is disposed in parallel with a direction of the luminous flux" of claim 8 in combination with the limitation "a movable plunger that is movable in parallel with

Art Unit: 2851

the direction of the luminous flux by a magnetic force of the solenoid" of claim 8, further in combination with the other limitations of claim 8.

The prior art does not teach or suggest the limitation, "wherein the movable plunger is movable in the bearing portion using the band projection" of claim 22 in combination with the limitations of claims 16, 19, and 21.

The prior art does not teach or suggest the limitation, "wherein the movable plunger is movable in the bearing portion using the band projection" of claim 29 in combination with the limitations of claims 23, 26, and 28.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 5,548,367 discloses an electromagnetic apparatus and apparatus for adjusting exposure of camera using the same and U.S. Patent No. 6,123,466 discloses an electromagnetic displacement means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (703) 308-2879. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

Application/Control Number: 10/037,375

Page 6

Art Unit: 2851

308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RB
June 11, 2003

Handwritten: Randall K. K. 27
SUPERVISOR
TECHNICAL UNIT 8, 2000